

PHILLIP A. TALBERT
United States Attorney
JESSICA A. MASSEY
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE LUIS SANTANA,

Defendant.

CASE NO. 1:21-CR-00278-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

CURRENT DATE: December 7, 2022
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on December 7, 2022.
2. By this stipulation, defendant now moves to continue the status conference until March 15, 2023, and to exclude time between December 7, 2022, and March 15, 2023, pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. While the parties anticipate that the case may resolve without a trial, this is not yet a certainty. If defendant ultimately does not enter a guilty plea and decides to proceed to trial, the parties agree and stipulate, and request that the Court find the following:
 - a) The government asserts the discovery associated with this case includes reports,

1 photographs, and recordings; discovery has been provided to defense counsel. The government
2 is aware of its ongoing discovery obligations.

3 b) The government will provide a plea offer to the defendant.

4 c) The parties plan to file a stipulation regarding defendant's request to re-test
5 certain narcotics seized in this case.

6 d) Counsel for defendant desires additional time to consult with his client, to review
7 the current charges, to conduct investigation and research related to the charges, to review and/or
8 copy discovery for this matter, to discuss potential resolutions with his client, to prepare pretrial
9 motions, and to otherwise prepare for trial.

10 e) Counsel for defendant believes that failure to grant the above-requested
11 continuance would deny them the reasonable time necessary for effective preparation, taking into
12 account the exercise of due diligence.

13 f) The government does not object to the continuance.

14 g) Based on the above-stated findings, the ends of justice served by continuing the
15 case as requested outweigh the interest of the public and the defendant in a trial within the
16 original date prescribed by the Speedy Trial Act.

17 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
18 et seq., within which trial must commence, the time period of December 7, 2022, to March 15,
19 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
20 T4], because it results from a continuance granted by the Court at defendant's request on the
21 basis of the Court's finding that the ends of justice served by taking such action outweigh the
22 best interest of the public and the defendant in a speedy trial.

23 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the

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Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: November 30, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ JESSICA A. MASSEY
JESSICA A. MASSEY
Assistant United States Attorney

Dated: November 30, 2022

/s/ W. SCOTT QUINLAN
W. SCOTT QUINLAN
Counsel for Defendant
JOSE LUIS SANTANA

ORDER

IT IS SO ORDERED.

DATED: 11/30/2022

Sheila K. Oberto
Hon. Sheila K. Oberto
U.S. Magistrate Judge